

FILED
IN CLERKS OFFICE

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

In Re: PHARMACEUTICAL)	U.S. DISTRICT COURT
INDUSTRY AVERAGE WHOLESALE)	DISTRICT OF MASS.
PRICE LITIGATION)	
)	MDL No. 1456
)	
)	Master File No. 01-CV-12257-PBS
)	
THIS DOCUMENT RELATES TO:)	Judge Patti B. Saris
(ALL CLASS ACTIONS))	
_____)	

DECLARATION OF LYNDON M. TRETTER

I, Lyndon M. Tretter, declare as follows:

1. I am a member of Hogan & Hartson LLP and represent Bristol-Myers Squibb Company, Oncology Therapeutics Network, Corporation and Apothecon, Inc. (collectively "BMS") in this litigation. I offer this declaration in support of Defendants' Motion To Compel Production Of Documents From Plaintiff Blue Cross Blue Shield Of Massachusetts.
2. To respond to plaintiffs' discovery requests, BMS put together a team of approximately 25 full time and contract attorneys and five para-legal assistants. We interviewed more than 150 BMS employees during the process of collecting and reviewing millions of pages of potentially responsive documents. In addition, BMS also collected and reviewed terabytes of electronic documents and data. The BMS discovery effort ultimately took nearly 11 months of intense labor and cost more than \$5 million. BMS produced a myriad of contracts and documents, including e-mail, relating to contract negotiations with hospitals, group purchasing organizations and managed care entities.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Lyndon M. Tretter

Lyndon M. Tretter

Executed on this 21st day of March 2006